

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Regular Meeting
January 2, 2002

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Wednesday, January 2, 2002, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

Invocation. Reverend Carlton Bakkum, Grace Episcopal Church, gave the Invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

ORGANIZATION OF THE 2002 YORK COUNTY BOARD OF SUPERVISORS

ESTABLISH RULES OF PROCEDURE

Chairman Burgett asked if there were any comments or suggested amendments to the Rules of Procedure as presented.

Mrs. Noll addressed Section 5-5.1, stating she understood how the Board felt about making York County citizens a priority during Citizens Comment Period, but noted that in actuality no one had been limited in speaking before the Board during the past year. She indicated she would like to remove the second sentence of the section which allows only York County citizens or York County property owners to speak during Citizens Comment Period unless approved by the Chairman.

Mr. Zarembo agreed that no one had been denied an opportunity to speak to the Board, but stated he felt the wording emphasized that the citizens are the Board's highest priority. He indicated that every now and then the Board has groups of people come before it to speak, and this wording insures the citizens of York County will be able to speak first.

Mrs. Noll stated the Board had not cut debate short even with great numbers of people wishing to speak, and she did not feel the wording was needed. She stated the York County citizens elected the Board members, and the citizens will always come first. Mrs. Noll stated she did not feel it had to be stated in the Rules.

Mr. Shepperd suggested a compromise in that the wording be changed to simply state that the citizens of York County will have priority to speak before the Board.

Chairman Burgett indicated he felt the wording was fine as written. The purpose is to show the citizens that they are most important with the Board.

Mr. Wiggins recalled an incident that supported the need for the current wording having to do with a new building at Christopher Newport University. He stated the whole issue had to do with people from Newport News who dominated a meeting. He indicated he did not believe the Board would deny anyone the right to speak.

Mr. Zaremba indicated there might be an occasion when somebody enters the Board Room with a clear intent to disrupt the proceedings, and this wording gives the Chairman the authority to deny that person the opportunity to address the Board if there were a solid reason to do so.

Mrs. Noll moved that the Rules of Procedure be amended by deleting the second sentence of Section 5-5.1.

On roll call, the vote was:

Yea:	(1)	Noll
Nay:	(4)	Zaremba, Wiggins, Shepperd, Burgett

Mr. Shepperd then suggested an amendment to Section 3-1. He stated the current wording might suggest that the Chairman could block an action by another Board member to have something included on the agenda. He suggested that the following sentence be added to the first paragraph of the section following the listing of the order of business: "However, such item shall be scheduled for Board action at a subsequent meeting within a reasonable period of time based upon a majority consent of the Board."

Chairman Burgett stated that being chairman of this Board is like being president or chairman of any group in that at the meetings it is the chairman's duty to preside and set the agenda. He indicated he had no problem with the proposed amendment.

Mr. Zaremba suggested adding the following wording to the end of the proposed amendment: ". . .or unless withdrawn by the advocate Board member."

Mr. Shepperd moved that his amendment to Section 3-1, as amended by Mr. Zaremba, be approved.

On roll call, the vote was:

Yea:	(5)	Noll, Wiggins, Shepperd, Zaremba, Burgett
Nay:	(0)	

Mr. Shepperd then addressed Section 3-11, suggesting that the words "or refer to a committee" be added after the words ". . .to amend, to commit. . ." and that the words "to recess" be added after the words ". . .lay on the table, . . ."

Mr. Shepperd then moved that his proposed amendment to Section 3-11 be approved.

On roll call, the vote was:

Yea:	(5)	Wiggins, Shepperd, Zaremba, Noll, Burgett
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January 2, 2002

Nay: (0)

Mr. Zaremba then moved the adoption of proposed Resolution R02-1(R) that reads:

A RESOLUTION TO ADOPT THE YORK COUNTY BOARD OF
SUPERVISORS' RULES OF PROCEDURE FOR 2002

BE IT RESOLVED by the York County Board of Supervisors this 2nd day of January, 2002, that the following Rules of Procedures be, and they are hereby, adopted for 2002:

YORK COUNTY BOARD OF SUPERVISORS
As Amended through January 2, 2002

SECTION 1 - MEETINGS

Section 1-1 When and Where Regular Meetings are Held

The time and place of regular meetings of the Board of Supervisors shall be established at each annual meeting. Regular meetings shall be called to order at 7:00 p.m., EST and DST in the Board Room, York Hall, on the first Tuesday of each month, with the exception of the first Tuesday in the months of July and November, and on the third Tuesday of each month. Should the Board subsequently prescribe any meeting time or place other than that initially established, it shall comply with Section 15.2-1416 of the Code of Virginia, as amended.

If the Chairman, or the Vice Chairman if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for board members to attend a regularly scheduled meeting, the meeting shall be continued to the following Tuesday at 7:00 p.m. in the Board Room, York Hall. Such finding shall be communicated to the members of the Board and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required.

Section 1-2 Special Meetings

The Board of Supervisors may hold such special meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time as it may find convenient and/or necessary. As a general rule, no work sessions will be conducted during the months of July or August other than those which may occur at the beginning of a regular meeting. A special meeting of the Board of Supervisors shall be called pursuant to Section 15.2-1416 of the Code of Virginia, as amended.

Section 1-3 Annual/Semi-Annual Meetings

The first meeting held after the newly elected members of the governing body shall have qualified and the first meeting held in the corresponding month of each succeeding year shall be known as the annual meeting; and the first meeting held in the sixth month thereafter shall be known as the semi-annual meeting.

Section 1-4 Quorum and Method of Voting

At any meeting a majority of the supervisors shall constitute a quorum. All questions submitted to the Board for decision shall be determined by a viva voce vote of a majority of the supervisors voting on any such question, unless otherwise provided by law. The name of each member voting and how he or she voted must be recorded. The Board of Supervisors has elected not to have a tie breaker as provided for by the Code of Virginia, and a tie vote on any motion shall be considered defeated as provided for in Section 15.2-1420.

Section 1-5 Procedure for Roll Call for Board Members

- (1) The Chairman of the Board of Supervisors shall cast the last vote.
- (2) The Members of the Board of Supervisors shall cast votes in district order on a rotating basis.

Section 1-6 Members Absenting Themselves from Meeting Prior to Adjournment

After the name of any member of the Board has been recorded as present at any meeting of the Board, the member shall not leave the meeting previous to adjournment unless by consent of the Board.

Section 1-7 Board to Sit with Open Doors

The Board of Supervisors shall sit with open doors, and all persons conducting themselves in an orderly manner may attend the meetings. However, the Board may hold closed meetings as provided in the Virginia Freedom of Information Act.

Section 1-8 Closed Meetings

A closed meeting shall be held when necessary.

SECTION 2 - OFFICERS

Section 2-1 Election and Term of Chairman and Vice Chairman

At the annual meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice Chairman, each of whom shall serve for a term of one year expiring on December 31, or until their respective successors shall have been elected. In the case of the absence from any meeting of the Chairman and Vice Chairman, the members present shall choose one of their number as temporary Chairman.

Section 2-2 Chair May Administer Oaths

The Chairman shall have power to administer an oath to any person concerning any matter submitted to the Board or connected with its powers and duties.

Section 2-3 Clerk

The Clerk of the Board shall be the County Administrator, whose duties and responsibilities shall be those set forth in State law or delegated by the Board of Supervisors.

Section 2-4 Parliamentarian

The County Attorney shall serve as the Parliamentarian.

Section 2-5 Preservation of Order

At meetings of the Board, the presiding officer shall preserve order and decorum.

SECTION 3 - CONDUCT OF BUSINESS**Section 3-1 Order of Business**

At regular meetings of the Board, the order of business shall be as follows:

- (a) Call to Order
- (b) Invocation
- (c) Pledge of Allegiance
- (d) Roll Call of Members
- (e) Highway Matters
- (f) Presentations
- (g) Citizens Comment Period
- (h) Reports, Requests, and Recommendations of the County Attorney
- (i) Reports, Requests, and Recommendations of the County Administrator
- *(j) Matters Presented by the Board
- (k) Public Hearings (8:00 p.m.)
- (l) Unfinished Business
- (m) Consent Calendar
- (n) New Business
- (o) Closed Meeting

*This time is generally used for individual Board members to share information with other members of the Board and the public. Items presented under this heading requiring action will be for future agenda items or for additional information from staff members only. No item presented under this heading or at any point during the meeting will be acted upon at the meeting at which presented unless it is with the unanimous consent of the Board that the item be put on the floor for action. However, such item shall be scheduled for Board action at a subsequent meeting within a reasonable period of time based upon a majority consent of the Board or unless withdrawn by the advocate Board member.

Prior to the agenda being prepared, a member of the Board may contact the Clerk and have an item included under this heading. The County Administrator shall prepare a memorandum which will inform other members of the Board of the particulars pertaining to this item.

Section 3-1.1 Consent Calendar

The Consent Calendar shall be introduced by a motion "To approve the Consent Calendar," and shall be considered by the Board as a single item.

There shall be no debate or discussion by any member of the Board regarding any item on the Consent Calendar, beyond asking questions for simple clarification.

On objection by any member of the Board of Supervisors to the inclusion of any item on the Consent Calendar, that item shall be removed from the Consent Calendar forthwith. Such objection may be recorded at any time prior to voting on the motion to approve the Consent Calendar. All such items shall be considered individually, in the order in which they were objected to, immediately following consideration of the Consent Calendar.

Approval of the motion to approve the Consent Calendar shall constitute approval, adoption, or enactment of each motion, resolution, ordinance, or other item of business thereon, exactly as if each had been acted upon individually.

Section 3-2 Manner of Addressing Board Generally; Speaking Only on Question Before Board

- (1) Any person, including Board members, who speaks to the Board shall address the Chair and shall confine comments to the question before the Board.
- (2) No person in attendance at a meeting of the Board shall be permitted to address the Board while the members are considering any motion, resolution or ordinance preliminary to a vote on the same, except at the discretion of the Chair.
- (3) During those times when the public is addressing the Board, the Chair shall appoint a timekeeper who shall notify speakers and the Board that the allotted time for addressing the Board has expired. Speakers shall conclude their remarks at that time unless the consent of the Board is affirmatively given to extend the speaker's allotted time.
- (4) All presentations to the Board shall normally be limited to no more than 10 minutes, except as hereinafter provided.

Section 3-3 Use of Offensive Language or Gestures; Sectarian or Political Discussion

No member of the Board shall in debate at any meeting of the Board use any language or gesture calculated to offend or insult another member. No discussion of a sectarian or partisan character shall be allowed at meetings of the Board.

Section 3-4 Priority in Speaking to Board

When two or more members of the Board wish to speak at the same time, the Chairman shall name the one to speak.

Section 3-5 Speaking More than Once on Same Subject

In any debate before the Board, no member of the Board shall speak more than once on the same question until all the others have spoken who desire to do so, nor more than twice on the same question, unless by consent of the Board.

Section 3-6 Form of Petitions, etc.

Every petition, communication, or address to the Board shall be in respectful language and, except in cases where it is otherwise allowed, shall be in writing.

Section 3-7 Motions

No proposition shall be entertained by the Chairman until a motion for the same has been duly made. No motion shall require a second. The Chairman may make a motion without vacating the Chair.

Section 3-8 Decision on Points of Order

The Chairman, when presiding at a meeting of the Board, without vacating the Chair, may give reasons for any decision made by the Chair on any point of order, and such decision shall be made without debate.

Section 3-9 Same; Appeal to Board

Any member of the Board may appeal to the Board from the decision of the Chairman on any question of order, a majority vote of those present being necessary to over-rule the Chairman.

Section 3-10 Motion to Adjourn

At a meeting of the Board, a motion to adjourn shall be always in order and shall be decided without debate.

Section 3-11 Motions While a Question is Under Debate

When a question is under debate at a meeting of the Board, no motion shall be received unless it be one to amend, to commit or refer to a committee, to postpone, to ask for the previous question, to make a substitute motion, to lay on the table, to recess, or to adjourn.

Section 3-12 Reconsideration of Motions, etc., Upon Which Vote Has Been Announced

At any meeting of the Board, when any vote upon any motion, resolution, ordinance, or question has been announced, it may be reconsidered on the motion of any member who voted with

the prevailing side, provided that such motion shall be made at the session of the Board at which it was decided. Such motion shall be decided by a majority of the votes of the members present, unless a greater number of votes was required to pass the measure, in which event the motion to reconsider shall not prevail, except upon the vote of as great a number of members as was required to pass the measure.

For the purpose of this Section, "session" shall include any adjourned or special meeting occurring prior to the next Regular Meeting.

Section 3-13 Suspending Rules

The rules of the Board may be suspended with the unanimous concurrence of the members present.

Section 3-14 Robert's Rules of Order

The proceedings of the Board, except as otherwise provided in the Rules of Procedure and by applicable State law, shall be governed by Robert's Rules of Order.

SECTION 4 - PUBLIC HEARINGS

Section 4-1 Speakers

At every public hearing, speakers wishing to address the Board shall clearly state their name and address. All speakers, except as hereinafter provided, shall limit their remarks to three (3) minutes. Speakers may not yield any unused portion of their speaking time to others. Staff presentations should be concise and normally limited to no more than ten (10) minutes except when necessary to properly inform the public of the issue before the Board. The applicant in a land use case or his/her representative(s) shall be allowed a maximum of ten (10) minutes to present their case. Each speaker shall be limited to one appearance at each public hearing, except at the discretion of the Chair, and only after all other speakers have been given an opportunity to be heard on the subject being considered.

The order of business for public hearings shall be:

- staff presentation
- applicant's presentation (if any)
- public comments

Section 4-2 Members' Participation

Board members shall limit their comments in public hearings to insure participation by the public without Board interference.

Section 4-3 Close of Hearing

When a public hearing shall have been closed by the order of the Chairman of the Board, no further public comments are in order.

SECTION 5 - AGENDA

Section 5-1 Preparation

The Clerk shall prepare an Agenda for each regular meeting conforming to the order of business specified in Section 3-1 under Order of Business. Except as permitted at the discretion of the Clerk, every item to be placed on the Agenda shall be received in the Office of the County Administrator before the close of the work day on the Thursday two weeks prior to any regular meeting of the Board. Prior to publication of the agenda, the Clerk shall coordinate recommended agenda subjects for approval with the Chairman, or with the Vice Chairman in the Chairman's absence.

Section 5-2 Delivery

The agenda shall be received by each member of the Board and the Attorney to the Board at least 48 hours prior to the meeting.

Section 5-3 Posting

A copy of the Agenda shall be posted on the door to York Hall at least 48 hours prior to the meeting.

Section 5-4 Copies

The Clerk to the Board shall prepare or cause to be prepared extra copies of the Agenda and shall make the same available to the public in the Office of the County Administrator at the same time the Agenda is posted pursuant to Section 5-3. The Clerk shall also have copies available at each meeting.

Section 5-5 Request to Appear Before the Board of Supervisors

Any citizen (individual, firm, association, or corporation) desiring to appear before the Board of Supervisors shall make a request to the Clerk or the Clerk's designee and receive approval; however, no written application or approval shall be required in order to speak to the Board during Citizens Comment Period or at public hearings.

Section 5-5.1 Citizens Comment Period

During Citizens Comment Period, speakers wishing to address the Board shall clearly state their name and address. Unless approved by the Chairman, or by the Vice Chairman in the Chairman's absence, only York County citizens or persons who own property or businesses in the County shall be allowed to address the Board during the Citizens Comment Period. Speakers shall limit their remarks to three (3) minutes and may not yield any unused portion of

their speaking time to others. Each speaker shall be limited to one appearance at each Regular Meeting of the Board. Speakers shall be limited to speaking on the same subject not more than three times within any 12-month period.

SECTION 6 - GENERAL CONDUCT AND DECORUM

Section 6-1 Conduct of Public

The efficient and dignified conduct of public business is the ultimate concern of the Board. Accordingly, it is the policy of the Board that its meetings be conducted with the highest degree of order and decorum. The Board's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Board will permit no behavior which is not in keeping with this policy. The soliciting of funds, the use of abusive or profane language, personal attacks on Board members, the failure to comply with time limits on speakers, or other forms of offensive conduct will not be tolerated. The Chairman will maintain proper order at all times during all meetings of the Board and shall effect the removal from any meeting of any person guilty of offensive conduct if the offending party fails or refuses to cease such conduct.

Section 6-2 Board Action; effect

The Board of Supervisors is charged with administering County functions. Primary among these many functions is making policy with majority vote required to effect policy implementation.

The County Administrator is employed by the Board to supervise the execution of County functions in the interim between meetings of the Board. The County Administrator may be delegated as much or as little authority as the governing body desires.

The Board of Supervisors bears the responsibility for successful operation of County government and its functions. Each supervisor is responsible for knowing Board policy and its intent.

The Chairman of the Board of Supervisors is directly responsible for overseeing the implementation of policy by the County Administrator and ensuring that implementation is consistent with the spirit and intent of the Board's actions. In the event that an action or actions may be necessary without the ready consensus of the Board, the Chairman shall have the discretion to authorize the County Administrator to take interim measures until the Board can meet and make any necessary decision.

On roll call, the vote was:

Yea:	(5)	Shepperd, Zaremba, Noll, Wiggins, Burgett
Nay:	(0)	

ELECTION OF CHAIRMAN

Chairman Burgett opened the floor to nominations for the Office of Chairman of the Board of Supervisors for 2002.

Mr. Zaremba asked that his following statement be entered into the record:

I would like to say what a pleasure it has been serving on this Board this past year under your Chairmanship. Everyone knows how ably you have guided these Board meetings. What they may not know, however, is how tirelessly you have worked behind the scenes to accomplish many important initiatives for this County and its citizens. Fortunately, for us, though, when you hand over your gavel tonight you will no doubt diligently continue to represent not only the citizens of District 4 but the citizens of the County as well. And so, Mr. Chairman, and fellow members of the Board, I offer as my nominee the best, most qualified member of this Board to lead and guide this County over the next 12 months, Mr. Donald Wiggins.

Like all of us, Don has made his share of mistakes, yet I have rarely witnessed a man who could turn a mistake into a positive force for change as Don has. For example, his DUI early last year resulted in his resolve to abstain from drinking, and he remains true to his pledge today. Don Wiggins, our Vice Chair this past year, has served this County well. Don is a modest man who rarely seeks the limelight. He has never sought the so-called glamour assignments that involve travel at taxpayers expense, yet offer little return on investment to our citizens. Rather, he prefers quiet success, with finding solutions that enhance the quality of life in York County.

Let me give you some examples of his accomplishments while serving our citizens. He has worked very closely with staff to find solutions to long-term drainage problems that have plagued the County's low-lying areas. He has worked diligently to bring water and sewer to needed areas within York County. For the past five years he has continued to serve our citizens well as our representative to the Criminal Justice Board. He also currently serves York County as our member on the Board of Directors for the Virginia Peninsula Chamber of Commerce. Throughout the year 2000, he provided us a strong voice on the Williamsburg Area Chamber of Commerce. He is an accomplished businessman who has grown his company, Virginia Trusses, Inc., into one of the most successful Virginia businesses. In fact, his York County company was recently recognized as one of the fastest growing small businesses in Virginia.

Now, the significance of his business expertise should be obvious to this Board because he is the only member of this Board representing our citizens who personally has provided and continues to provide jobs, income, and tax revenues that directly benefit our citizens at large. Yet with all these accomplishments, he still remains most proud of the fact that he was able to fulfill his campaign promises to his Seaford constituents. For example, Seaford Elementary School now boasts a new gymnasium, and lights for nighttime play stand on the district's athletic field.

True, my nominee's actual age may never be known. That may remain a mystery for a long time. But let me tell you, regardless of age, this man exhibits the energy and drive which would be the envy of anyone. The leadership qualities he possesses, the fact that he always makes decisions after careful analysis, and in the citizens' best interest, make Don Wiggins the most qualified individual on this Board to lead York County in 2002.

Thank you, Mr. Chairman.

Mr. Shepperd moved that the nominations for the office of Chairman be closed.

On roll call, the vote was:

Yea:	(5)	Zaremba, Wiggins, Shepperd, Burgett
Nay:	(1)	Noll

Mr. Shepperd moved that Donald E. Wiggins be elected as Chairman of the 2002 York County Board of Supervisors.

On roll call, the vote was:

Yea:	(4)	Wiggins, Shepperd, Zaremba, Burgett
Nay:	(1)	Noll

ELECTION OF VICE CHAIRMAN

Chairman Wiggins opened the floor for nominations for the office of Vice Chairman of the 2002 York County Board of Supervisors.

Mr. Burgett nominated Walter C. Zaremba for the office of Vice Chairman.

Mrs. Noll nominated Mr. James S. Burgett for the office of Vice Chairman.

Chairman Wiggins declared the nominations for the office of Vice Chairman closed.

On roll call on Mr. Burgett's nomination to elect Walter C. Zaremba as Vice Chairman of the 2002 York County Board of Supervisors, the vote was:

Yea:	(5)	Shepperd, Zaremba, Noll, Burgett, Wiggins
Nay:	(0)	

CITIZENS COMMENT PERIOD

No one appeared to speak before the Board at this time.

COUNTY ATTORNEY REPORTS AND REQUESTS

Mr. Barnett had no report to make at this time.

COUNTY ADMINISTRATOR REPORTS AND REQUESTS

Mr. McReynolds had no report to make at this time.

MATTERS PRESENTED BY THE BOARD

Mr. Burgett thanked everyone who made his tour as Chairman so much fun. He stated that with the cooperation of his colleagues, the Board did a lot of good things during the past year, and he sincerely appreciated the kind words of Mr. Zaremba. He then noted he had read in today's York Town Crier an item about Dr. Staples and the upcoming budget year. He stated the Board was very proud of its strong support of education in York County, and this year the Board anticipates being able to provide \$35,613,000 or 48 percent of revenues toward education. The money remaining will still provide a very high level of services to the citizens.

Mrs. Noll congratulated Mr. Wiggins and Mr. Zaremba on their elections, and she stated she looked forward to a very productive 2002. She wished all the residents of York County a happy, prosperous, and peaceful year of promise and hope for all.

Mr. Shepperd congratulated Mr. Wiggins and Mr. Zaremba on their elections. He then addressed the Community Services orientation he had the opportunity to go on before the holidays, and he enthusiastically spoke of the several programs he was able to visit, including Crossroads Group Youth Home, Children's Services at Griffin-Yeates, and the Merrimac Center. He indicated they were wonderful programs, and he looked forward to seeing the other sites.

Mr. Zaremba reported to the citizens that he had the privilege on New Year's Eve to serve as honorary chairman of Williamsburg's First Night which was the 9th year it has been held. He stated it was a wonderful evening full of family events, and approximately 8,000 people attended. He then expressed his concern regarding the information he had received that the bank was foreclosing on the Days Inn on Route 199 and that the Holiday Inn 1776 had filed for Chapter 11. He stated this information tells the Board that the tourist industry has been hard hit, and he asked the Economic Development staff to give the Board a report on what is going on with any other hotels or businesses experiencing problems since September 11. Mr. Zaremba noted that the owners of the Days Inn are related to the Presidents Park project, and he asked for an update on that project also.

Chairman Wiggins thanked Mr. Zaremba for the kind words earlier in his nomination. He stated he looked forward to serving the County of York as Chairman of the Board of Supervisors during 2002. He stated there was nothing he respected more than the office of Chairman, and he promised he would do his best for the County and its citizens.

CLOSED MEETING. At 7:50 p.m. Mr. Zaremba moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(3) of the Code of Virginia pertaining to the acquisition of real property for a public purpose.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Burgett, Shepperd, Wiggins
Nay: (0)

Meeting Reconvened. At 8:17 p.m. the meeting was reconvened in open session by order of the Chair.

Mr. Burgett moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM
OF INFORMATION ACT REGARDING MEETING IN CLOSED
MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 2nd day of January, 2002, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Noll, Burgett, Shepperd, Zaremba, Wiggins
Nay: (0)

Meeting Adjourned. At 8:23 p.m. Mr. Zaremba moved that the meeting be adjourned sine die.

On roll call, the vote was:

Yea: (5) Burgett, Shepperd, Zaremba, Noll, Wiggins
Nay: (0)

James O. McReynolds, Clerk
York County Board of Supervisors

Donald E. Wiggins, Chairman
York County Board of Supervisors